

REMARKS

Claim 1 is revised in response to the rejections under 35 U.S.C. § 112, second paragraph, and 35 U.S.C. § 103. Claim 5 is revised for clarification, and Claims 8 and 28 are revised to maintain consistent terminology with amended Claim 1. Claims 1, 3-5, 7-11, 28, and 29 remain, with no claim previously allowed.

Claim 1 and the dependent claims are rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting an essential step. The Applicants have here revised Claim 1 to recite actions that occur if the request is for items in the vicinity of the present geographical location, and if the request is for items in a vicinity of the previous geographical location. The last element (“generating a search query...”) specifically recites items within a certain proximity of the previous geographical location. The Applicants submit that Claim 1, as currently amended, complies with 35 U.S.C. § 112, second paragraph.

Claim 1 and dependent Claims 3-5, 7, and 28 are rejected as unpatentable over *Bouve* (US 5,682,525) in view of *Hancock* (US 6,202,023). The Applicants respectfully traverse that rejection as possibly applied to the amended claims.

Claim 1 defines an embodiment of the present method comprising, combined with other elements, detecting whether a search request is for items in a vicinity of the present geographical location of the user’s communication device or of a different geographical location. That different geographical location is a previous such location of the user’s mobile communications device. If the request pertains to the vicinity of the present geographical location, the method generates a search query for items only within a certain proximity of the present location. However, if the request pertains to the previous geographical location, the method generates a search query for items of interest only within a certain geographical proximity of that previous location.

The Examiner’s rejection (pages 11 and 12) characterizes *Bouve* as teaching those limitations, particularly “... of a different geographical location identified by the user and being a previous location of the user’s mobile communication device”. To support that argument, the rejection cites column 10, lines 35-42 of *Bouve*. However, that passage says only that if a user’s present location (or intended destination) are identified, items of

interest in those geographic vicinities may be displayed to the user. *Bouve* thus provides a system for remotely determining the location of items of interest in a selected geographic vicinity (column 2, lines 10-13), where that geographical location may include the user's intended destination location. *Bouve* thus does not teach a method allowing a search with respect to a previous location of a user's mobile communication device.

The rejection attempts to find, in *Hancock*, that teaching missing from *Bouve*. *Hancock* discloses a method for automatically providing informational services to users based on their geographical location (column 1, lines 18-20). As the rejection notes, a user may define her home or office as a predefined location (column 8, lines 23-25). *Hancock* teaches that such location coordinates are programmed by a grid coordinate system or by the user accessing a map in which to specify a location (column 28, lines 25-29).

What *Hancock* does not teach, however, is identifying a different geographical location being a previous geographical location of the user's mobile communications device, as specified in Claim 1. The rejection seeks to explain away this missing teaching by "interpreting" *Hancock*'s predefined locations as the "previous location of the user's mobile communication device" (page 12 of the last Office action). No basis for the Examiner's interpretation of *Hancock* is given, and the Applicants respectfully submit that no such basis exists in fact. *Hancock* teaches using a particular grid coordinate system or accessing a map database to specify such pre-programmed user preferences. Nowhere does that reference, or *Bouve*, suggest that one of ordinary skill should provide "a different geographical location...being a previous geographical location of the user's mobile communications device", as in the method of Claim 1. Absent that teaching, the Applicants submit that one of ordinary skill would not have found it obvious to provide their method as in Claim 1, based only on *Bouve* and *Hancock*.

Claims 3-5, 7, and 29 depend from Claim 1 and are considered patentable for the above reasons with regard to that parent claim.

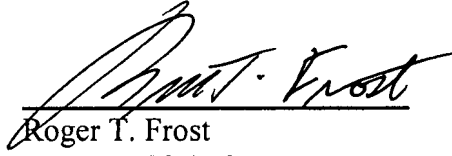
Claims 8-11 and 28 were rejected as unpatentable over *Bouve* and *Hancock*, further in view of *Rennard* (US 6,615,131). The Applicants respectfully traverse that rejection for that reasons set forth above with respect to parent Claim 1.

The foregoing is submitted as a complete response to the Office Action identified above. The Applicants submit that the present application is now in condition for allowance and solicit a notice to that effect.

Respectfully submitted,

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